

**Court of Appeals, State of Michigan**

**ORDER**

**Michael White v Donald Knapp Jr**

Docket No.   **346921**

LC No.       **18-037070-CH**

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Christopher M. Murray, Chief Judge, acting under MCR 7.201(B)(3), orders:

The claim of appeal is DISMISSED IN PART as to appellant in his capacity as personal representative of the Estate of Darla K. White for failure to pursue the case in conformity with the rules. MCR 7.201(B)(3) and 7.216(A)(10). The Clerk of this Court provided notice regarding the nature of the defects in this filing, and the defects were not corrected in a timely manner by providing this Court with a claim of appeal signed by an attorney as to this appeal in appellant's capacity as personal representative of the estate and proof of service of such a claim of appeal on appellees' counsel. Nothing in the discussion in *Shenkman v Bragman*, 261 Mich App 412; 682 NW2d 516 (2004), indicates that it is inapplicable in the context of an estate with a sole beneficiary. *Cf. Diez v Davey*, 307 Mich App 366, 381; 861 NW2d 323 (2014) (even when owned by a sole shareholder corporations are separate entities under the law). Moreover, this Court's holding in its published opinion in *Shenkman* is binding on a regular panel of this Court under MCR 7.215(J)(1), regardless of whether federal procedural law would allow appellant to act pro se on behalf of the estate in a federal court in an analogous context.

This appeal remains pending as to appellant in his individual capacity.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

JAN 29 2019

Date

*Jerome W. Zimmer Jr.*  
Chief Clerk